

R 012327Z DEC 00  
FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS  
SPECIAL EMBASSY PROGRAM  
PRISTINA POUCH

UNCLAS STATE 229049

SIPDIS

E.O. 12958: N/A  
TAGS: [CVIS](#) [CMGT](#)  
SUBJECT: CIPRIS PROGRAM UPDATE: INS WILL COLLECT F/M/J FEE  
BEGINNING IN 2001

REF: 97 STATE 57291

SUMMARY  
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1. IN REFTTEL, THE DEPARTMENT REPORTED ON INS' CIPRIS PROJECT, A CONGRESSIONALLY MANDATED PROGRAM FOR ELECTRONICALLY MONITORING STUDENTS AND EXCHANGE VISITORS IN THE U.S. ALTHOUGH CIPRIS HAS HAD A SLOW START SINCE ITS 1995 CONCEPTION, INS HAS PLANS TO LAUNCH A BETA TEST OF THE PROGRAM IN MID-2001 AND TO HAVE CIPRIS FULLY IMPLEMENTED BY 2005. LEGISLATION SIGNED INTO LAW BY THE PRESIDENT IN LATE OCTOBER HAS GIVEN INS THE GREEN LIGHT TO COLLECT A FEE FROM NEW STUDENTS AND EXCHANGE VISITORS, TO BEGIN AS SOON AS INS PUTS INTO PLACE ITS FEE COLLECTION SYSTEM AND REGULATIONS. THE MECHANICS OF COLLECTING THE FEE HAVE YET TO BE FINALIZED. HOWEVER, CONSULAR OFFICERS WILL PLAY A KEY ROLE IN THE PROCESS BY REQUIRING PROOF THAT STUDENT AND EXCHANGE VISITOR APPLICANTS HAVE PAID THE

FEE BEFORE ISSUING A VISA. INS IS UNCERTAIN WHEN IT WILL BEGIN COLLECTING THE FEE, BUT THE DEPARTMENT BELIEVES POSTS WILL NOT NEED TO TAKE ANY ACTION BEFORE THE SPRING.  
END SUMMARY.

WHAT IS CIPRIS?  
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2. THE COORDINATED INTERAGENCY PARTNERSHIP REGULATING INTERNATIONAL STUDENTS (CIPRIS) GREW OUT OF AN INS TASK FORCE ESTABLISHED IN 1995 TO REVIEW HOW TO GATHER INFORMATION FOR MONITORING F, M AND J VISA HOLDERS IN THE U.S. THE RECOMMENDATION OF THE TASK FORCE TO CREATE AN ELECTRONIC TRACKING SYSTEM FOR FOREIGN STUDENTS AND EXCHANGE VISITORS WAS FORMALIZED IN SECTION 641 OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996 (IIRIRA). THIS SECTION REQUIRES ALL POST-SECONDARY SCHOOLS AND EXCHANGE VISITOR PROGRAMS TO PROVIDE INFORMATION ON NATIONALS OF ALL COUNTRIES BY JANUARY 1, 2003. THE TRACKING SYSTEM WAS DESIGNED TO BE SELF-FUNDED WITH FEES COLLECTED FROM FOREIGN STUDENTS AND EXCHANGE VISITORS. INS LAUNCHED A CIPRIS PILOT PROJECT AT 21 SCHOOLS IN THE SOUTHEAST U.S. IN 1997 TO TEST THE FEASIBILITY OF AN ELECTRONIC TRACKING SYSTEM, WITH A VIEW TO EXPANDING THE PROGRAM NATIONWIDE BY THE CONGRESSIONALLY-ESTABLISHED DEADLINE.

3. WHEN FULLY IMPLEMENTED, CIPRIS WILL BE AN ALL-ELECTRONIC SYSTEM WHICH WILL GIVE INS AND CONSULAR OFFICERS IMMEDIATE INFORMATION ON AN F, M OR J HOLDER'S STATUS. INITIALLY OVERSEAS POSTS WILL HAVE ACCESS TO THE CIPRIS DATA BASE THROUGH INS DIRECT, ENABLING THEM TO VERIFY F, M OR J INFORMATION SUCH AS WHEN AN I-20 OR IAP-66 WAS ISSUED AND WHETHER THE STUDENT IS CURRENTLY IN FULL-TIME ATTENDANCE AT A SCHOOL. EVENTUALLY POSTS WILL HAVE DIRECT COMPUTER LINKAGE TO THE CIPRIS SYSTEM, GIVING CONSULAR OFFICERS IMMEDIATE ACCESS TO STUDENT AND EXCHANGE VISITOR DATA WHEN INTERVIEWING APPLICANTS AND ADJUDICATING CASES. ISSUANCE DATA WILL BE DOWNLOADED INTO THE SYSTEM AND MADE AVAILABLE TO SCHOOLS AS WELL AS TO INS, CREATING A SEAMLESS FLOW OF INFORMATION WHICH SHOULD NEARLY ELIMINATE STUDENT VISA FRAUD AND SUBSTANTIALLY REDUCE THE AMOUNT OF PAPERWORK CONSULAR OFFICERS REQUIRE TO

## ADJUDICATE A STUDENT OR EXCHANGE VISITOR VISA.

### THE BATTLE OVER FEES

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14. ALTHOUGH THE IDEA OF A CIPRIS PROGRAM HAS BEEN POPULAR WITH CONGRESS, IT HAS NOT BEEN RECEIVED WELL BY MANY SCHOOLS AND PROGRAMS WHICH HOST INTERNATIONAL STUDENTS AND EXCHANGE VISITORS. THESE SCHOOLS HAVE BALKED AT SOME PROVISIONS OF SECTION 641, IN PARTICULAR THE REQUIREMENT IN THAT LEGISLATION THAT SCHOOLS COLLECT THE CIPRIS FEE. THE EDUCATIONAL COMMUNITY'S TOOTH-AND-NAIL OPPOSITION TO THIS PROVISION VIRTUALLY ENDED ALL CIPRIS-RELATED ACTIVITY FOR MUCH OF 2000. INS FINALLY OVERCAME THIS OPPOSITION BY INTRODUCING LEGISLATION WHICH TRANSFERRED THE FEE COLLECTION RESPONSIBILITY FROM HOST SCHOOLS AND EXCHANGE PROGRAMS TO INS. THIS LEGISLATION WAS ATTACHED TO HR 3767 -- THE VISA WAIVER BILL -- AND WAS SIGNED INTO LAW BY THE PRESIDENT ON OCTOBER 30, 2000. IN SPITE OF THIS FIX, CIPRIS STILL LIVES UNDER A SWORD OF DAMOCLES IN THE FORM OF A PROPOSED BILL WHICH WOULD REPEAL THE PROGRAM. THIS LEGISLATION, WHICH HAS THE BACKING OF MANY COLLEGES AND UNIVERSITIES, MAY BE INTRODUCED IN THE NEXT CONGRESS, ALTHOUGH THE DEPARTMENT BELIEVES ITS PASSAGE IS UNLIKELY.

15. INS MADE SEVERAL MAJOR CONCESSIONS ON THE FEE ISSUE, NOTABLY ON WHO QUALIFIES FOR REDUCED OR FEE-EXEMPT STATUS, TO ENSURE ITS SUCCESS. BUT THE FEE AMENDMENT HAS AT LAST GIVEN THE SERVICE THE FISCAL TOOL IT NEEDED TO GO FULL-STEAM ON CIPRIS IMPLEMENTATION. INS' ABILITY TO COLLECT THE FEE IS VITAL TO THE PROGRAM'S SUCCESS; CIPRIS IS EXPECTED TO BE SELF-FUNDING AND THE SERVICE NEEDS THE CIPRIS REVENUE TO TAKE THE PROGRAM BEYOND THE PLANNING STAGE. THE AMENDMENT ALLOWS INS TO COLLECT A \$95 FEE FOR MOST STUDENTS AND EXCHANGE VISITORS, AN AMOUNT INS CALCULATED WAS A PER-CAPITA MINIMUM TO PAY FOR THE PROGRAM. SOME FS, MS AND J'S, NOTABLY THOSE ATTENDING SECONDARY SCHOOL, EXCHANGE VISITORS SPONSORED BY THE USG, AND F-2, J-2 AND M-2 APPLICANTS, WILL BE EXEMPT FROM THE FEE. OTHERS, SPECIFICALLY AU PAIRS, CAMP COUNSELORS AND SUMMER WORK/TRAVEL PARTICIPANTS, WILL PAY A REDUCED, \$40 FEE.

16. BECAUSE OF THE LONG HIATUS IN CIPRIS DEVELOPMENT WHICH OCCURRED WHILE THE FEE COLLECTION BATTLE WAS BEING FOUGHT, INS WILL ALMOST CERTAINLY NOT BE ABLE TO MEET CONGRESS' JANUARY 1, 2003 TIMETABLE TO HAVE THE PROGRAM UP AND RUNNING WORLDWIDE. HOWEVER, INS PLANS TO ESTABLISH A BETA TEST OF CIPRIS BY MID-2001, TO BE CONDUCTED IN A SELECT GROUP OF SCHOOLS AND EXCHANGE VISITOR PROGRAMS IN THE BOSTON AREA. FOLLOWING THIS BETA TEST, INS WILL GRADUALLY PHASE IN CIPRIS REGION-BY-REGION UNTIL ALL SCHOOLS AND

EXCHANGE VISITOR PROGRAMS ARE COVERED, PROBABLY SOMETIME IN 2005. POSTS WILL BE TIED INTO THE CIPRIS SYSTEM AS OUR DATASHARE LINKS WITH INS ARE DEVELOPED.

### WHAT THE HR 3767 FEE AMENDMENT MEANS FOR POSTS

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17. INS IS NOW HARD AT WORK DEVELOPING A SIMPLE, NO-FRILLS SYSTEM FOR COLLECTING THE F/M/J FEE, IN AN EFFORT TO GET CIPRIS FUNDS FLOWING AS SOON AS POSSIBLE. AMONG OTHER TASKS, INS' CIPRIS TEAM IS DRAFTING FEDERAL REGISTER REGULATIONS AND GUIDELINES FOR FEE COLLECTION, AND IS DEVELOPING THE FORM (DESIGNATED AN "-901" BY INS) WHICH STUDENTS WILL SUBMIT TO THE "LOCKBOX" ALONG WITH THEIR FEE PAYMENT. INS HOPES TO HAVE BOTH OF THESE ITEMS COMPLETED BY EARLY 2001, AT WHICH TIME IT CAN BEGIN COLLECTING THE FEE FROM NEW STUDENTS AND EXCHANGE VISITORS. ONCE IMPOSED, INS WILL COLLECT THE FEE FROM ALL NON-EXEMPT FIRST-TIME STUDENTS AND EXCHANGE VISITORS REGARDLESS OF WHETHER THEIR SCHOOL OR PROGRAM IS YET PARTICIPATING IN CIPRIS.

18. AS INS HAS OUTLINED, STUDENT AND EXCHANGE VISITOR VISA APPLICANTS WILL BE REQUIRED TO PAY THE CIPRIS FEE AFTER THEY OBTAIN AN I-20 OR IAP-66, BUT BEFORE THEY APPLY FOR

THE VISA. THE FEE IS NON-REFUNDABLE, EVEN IF THE APPLICANT FAILS TO OBTAIN A VISA. BANK ONE (A CHICAGO-BASED BANK) WILL BE THE LOCK-BOX FOR THE FEES. AFTER RECEIVING THE I-20 OR IAP-66, A PROSPECTIVE STUDENT OR EXCHANGE VISITOR WILL HAVE TO SUBMIT THE I-901 FORM AND PAYMENT TO BANK ONE (FORM AND PAYMENT INFORMATION WILL BE AVAILABLE ONLINE ON BOTH THE INS AND BANK ONE WEBSITES). THEY MAY PAY BY CREDIT CARD, BANK DRAFT, OR EVEN CASH. UPON RECEIPT OF THE I-901 AND PAYMENT, BANK ONE WILL ISSUE A RECEIPT, IN THE FORM OF INS' FAMILIAR I-797 "NOTICE OF ACTION." THIS FEE RECEIPT WILL BE MAILED TO THE APPLICANT AT THE ADDRESS DESIGNATED ON THE I-901. THE APPLICANT WILL PRESENT THE I-797 FEE RECEIPT, ALONG WITH THE I-20 OR IAP-66, AT THE TIME OF VISA APPLICATION. PRESUMABLY STUDENT AND EXCHANGE VISITOR APPLICANTS WHO DO NOT HAVE PROOF OF CIPRIS FEE PAYMENT IN THE FORM OF THE I-797 RECEIPT WILL BE REFUSED 221(G).

A WORK IN PROGRESS  
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¶9. AT THIS POINT, IT IS DIFFICULT TO SAY WITH ANY CERTAINTY WHEN INS WILL BEGIN COLLECTING THE CIPRIS FEE, ALTHOUGH THE SERVICE HOPES TO HAVE FEE COLLECTIONS UP AND

RUNNING BY EARLY 2001. MANY ISSUES RELATING TO THE FEE PAYMENT REQUIREMENTS HAVE YET TO BE WORKED OUT. FOR EXAMPLE, INS AND BANK ONE ARE STILL DELIBERATING ON HOW BEST TO REPLACE LOST OR MISDIRECTED I-797 RECEIPTS. THE SYSTEM IS DESIGNED TO WORK BEST FOR THOSE WITH INTERNET ACCESS, BUT FOR STUDENTS NOT CONNECTED TO THE WEB, PAYING THE FEE MAY BE MORE PROBLEMATIC. AND EDUCATING THE INTERNATIONAL STUDENT AND EXCHANGE VISITOR COMMUNITY ABOUT THE NEW FEE WILL BE A MAJOR UNDERTAKING WHICH WILL FALL MOSTLY ON INS BUT WITH WHICH POSTS, AND OTHER STAKEHOLDERS IN THE PROGRAM, MAY BE CALLED ON TO ASSIST.

¶10. THE VISA OFFICE HAS BEEN WORKING CLOSELY WITH INS TO ENSURE THAT THE CIPRIS PROGRAM WILL HAVE A MINIMAL IMPACT ON OUR POSTS ABROAD AND AT THE SAME TIME WILL SERVE OUR OWN LONG-TERM GOALS OF REDUCING WORKLOAD AND ELIMINATING FRAUD IN THE STUDENT AND EXCHANGE VISITOR PROGRAMS. WE ARE CONFIDENT THAT THE PROGRAM ULTIMATELY WILL ACHIEVE ALL THESE ENDS. WE WILL CONTINUE TO COORDINATE CLOSELY WITH INS AS THE FEE COLLECTION SYSTEM, AND CIPRIS ITSELF, ARE CLOSER TO REALITY. WE WILL KEEP POSTS CLOSELY APPRISED OF ANY NEW DEVELOPMENTS, PARTICULARLY AS THEY RELATE TO OUR ROLE IN FEE COLLECTIONS IN THE COMING MONTHS.  
TALBOTT

NOTE: POUCH ADDRESSEES PROTECTED BY IRM/MSO